

REMARKS/ARGUMENTS

In the Final Office Action, the Examiner has rejected claims 1, 3-10, 12-19, 21-26, 28-33, 35-42 and 44-48 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,393,057 (*Marnell, II*). The Examiner's rejection of claims is traversed below for at least the following reasons:

(a) *Marnell, II* does not teach or suggest a secondary game for a multi-player wagering game provided as a primary game (claim 1)

In the Final Office Action, the Examiner has asserted that *Marnell, II* teaches a multi-player wagering game, wherein each player has a unique game array indicia for the occurrence of the wagering game and individual game indicia are selected from the range of game indicia, wherein one of the players wins the occurrence of the wagering game by matching a predetermined game winning pattern of game indicia on the player's unique game array with the sequentially selected game indicia (Final Office Action, page 4).

It is noted that a poker game can be provided as a primary game and a bingo game as a secondary game such that the "bingo matrix spaces are filled by a ransom generator device" for the primary game (*Marnell, II*, Col. 2, lines 35-47).

However, contrary to the Examiner's assertion, it is respectfully submitted that the primary game of *Marnell, II* is not a multi-player game, wherein each player has a unique game array of game indicia for the occurrence of a wagering game.

As such, it is respectfully submitted that *Marnell, II* does not teach a secondary game for a multi-player game provided as a primary game in the context of the claimed invention. In fact, *Marnell, II* teaches away from the claimed invention because it clearly teaches providing a bingo game as a secondary game.

(b) *Marnell, II* does not teach or suggest a progressive game provided as a secondary game for a multi-player game provided as a primary game (claim 1)

It is respectfully submitted that the Examiner has not provided any factual evidence supporting the Examiner's assertion that the bingo game has to be a

progressive game to support a finding of inherent teachings with respect to the specific claimed feature recited in claim 1.

(c) *Marnell, II* does not teach or suggest an outcome of an occurrence of a primary multi-player wagering game being a predetermined progressive jackpot winning outcome of a secondary game if a pattern on a player's unique game array formed by the game indicia matches a predetermined progressive winning pattern (claim 1)

It is respectfully submitted that the Finality of the rejection is improper because the Examiner has made reference to various sections of *Marnell, II* which do not support the Examiner's allegation. Moreover, it is respectfully submitted that *Marnell, II* does not teach or suggest this claimed feature.

(d) *Marnell, II* does not teach or suggest an outcome of an occurrence of a multi-player wagering game being a predetermined progressive jackpot winning outcome if the player matches a predetermined progressive jackpot winning outcome within a predetermined maximum number of sequentially selected game indicia (claim 3)

It is respectfully submitted that the Finality of the rejection is improper because the Examiner has merely made reference to various sections of *Marnell, II* which do not support the Examiner's allegation. Moreover, it is respectfully submitted that *Marnell, II* does not teach or suggest this claimed feature.

CONCLUSION

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. IGT1P208F). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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